

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

TRACBEAM, L.L.C., A COLORADO LIMITED  
LIABILITY COMPANY,

PLAINTIFF,

CASE No. 6:11-cv-96

V.

AT&T, INC., A DELAWARE CORPORATION;  
AT&TMOBILITY L.L.C., A DELAWARE  
LIMITED COMPANY;METROPCS  
COMMUNICATIONS, INC., A DELAWARE  
CORPORATION;METROPCSWIRELESS, INC.,  
A DELAWARE CORPORATION; TEXAS RSA 7B3,  
L.P. D/B/A PEOPLES WIRELESS SERVICES, A  
TEXAS CORPORATION; SPRINT NEXTEL  
CORPORATION, A KANSAS CORPORATION;  
SPRINT SPECTRUM L.P., A DELAWARE  
LIMITED PARTNERSHIP; NEXTEL OF  
CALIFORNIA, INC., A DELAWARE CORPORATION;  
NEXTEL COMMUNICATION OF THE MIDATLANTIC,  
INC., A DELAWARE CORPORATION;  
NEXTEL OF NEW YORK, INC., A DELAWARE  
CORPORATION; NEXTEL SOUTH CORP., A  
GEORGIA CORPORATION; NEXTEL OF TEXAS,  
INC., A TEXAS CORPORATION; NEXTEL WEST  
CORP., A DELAWARE CORPORATION; AND  
CELLCO PARTNERSHIP D/B/A VERIZON  
WIRELESS, A DELAWARE PARTNERSHIP,

DEFENDANTS.

NOTICE OF ATTORNEY APPEARANCE AND  
CHANGE IN LEAD COUNSEL DESIGNATION.

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Defendant, Texas RSA 7B3, L.P. d/b/a Peoples Wireless Services, and  
files this Notice of Attorney Appearance and Change in Lead Counsel Designation and would  
show as follows:



Texas RSA 7B3, L.P. d/b/a Peoples Wireless Services notifies the Court and the parties of the appearance of Elvin E. Smith, III of the Law Offices of Elvin E. Smith, III PLLC as counsel on their behalf. Defendant also requests that Mr. Smith, who is enrolled in the Court's CM/ECF system and whose contact information is set forth below, be included on the Court's and parties' service lists.

Texas RSA 7B3, L.P. d/b/a Peoples Wireless Services respectfully requests that Elvin E. Smith, III be designated as lead counsel for Defendant Texas RSA 7B3, L.P. d/b/a Peoples Wireless Services in place of Wright Bruce Monning.

DATED: November 18, 2011.

Respectfully submitted,

s/ Elvin E. Smith, III

---

Elvin E. Smith, III  
 Texas State Bar No. 00784995  
 Law Offices of Elvin E. Smith, III PLLC  
 307 Dartbrook  
 Rockwall, Texas 75087  
 Telephone: 972-722-2475  
 Facsimile: 972-722-3332  
 esmith@eeslaw.com

ATTORNEY FOR DEFENDANT TEXAS RSA 7b3, L.P.  
 d/b/a PEOPLES WIRELESS SERVICES

#### CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this 18<sup>th</sup> day of November, 2011. All other counsel not deemed to have consented to service in such manner will be served via facsimile transmission and/or first class mail.

s/ Elvin E. Smith, III

---

Elvin E. Smith, III